

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

TITANIUM BLOCKCHAIN
INFRASTRUCTURE SERVICES,
INC.; EHI INTERNETWORK AND
SYSTEMS MANAGEMENT, INC.
aka EHI-INSM, INC.; and MICHAEL
ALAN STOLLERY aka MICHAEL
STOLLAIRE,

Defendants.

Case No. 18-cv-4315 DSF (JPRx)

**[PROPOSED] ORDER APPROVING
CLAIMS PROCESS AND BAR DATE**

[PROPOSED] ORDER APPROVING CLAIMS PROCESS AND BAR DATE

[PROPOSED] ORDER**APPROVING CLAIMS PROCESS AND BAR DATE**

Before the Court is the Motion of Josias N. Dewey, as Court-appointed Receiver for the estate of Defendant Titanium Blockchain Infrastructure Services, Inc. seeking approval of the claims process: (i) defining the eligible claimant class; (ii) giving notice of via electronic means; (iii) receiving claims via electronic means; (iv) validating claims using blockchain transactional data; (v) receiving and considering claims determination objections; and (vi) establishing the Claims Bar Date and Claims Process timeframe.

The Court having received and read the Motion, being so advised in the matter and finding good cause, hereby orders that the Motion is in all respects **GRANTED**.

I. Notice Procedure and Timeframe.

The Notice Procedures and Claims Process timeframe proposed in the Motion are approved. Within 30 days after entry of this Order, the Receiver shall publish the Claims Process Notice, apprising Claimants of the Bar Date and pendency of the Claims Process as described in the Motion, including at the Receiver's website: <https://tbis.io/>. These approved notice procedures will provide adequate and sufficient notice of the Bar Date and satisfy due process requirements.

II. Claim File Requirements, Release, and Bar Date.

All claimants of the Receivership Entities must file claims on or before 11:59 p.m. (Pacific Time) 90 calendar days following publishing of the Claims Process Notice (the Claims "Bar Date"). Unless excepted with good cause at the discretion of the Receiver, Claimants must submit claims using the Receiver's online claim system using the form exemplified in Exhibit B of this order. The Receiver's online claim system will be published at an internet address included in the Receivers notice of claims process.

The Receiver is authorized to obtain the release from each Claimant desiring to receive a distribution on their claim by including the release in the claims form.

Claimants wishing to submit claims via alternative means, object to the Receiver's

1 Claim Determination, or request any other deviation from the standard Claims Process
2 procedure or time requirements, should contact the Receiver at tbis@hklaw.com.

3 **III. Claims Determination Process and Objections.**

4 The Receiver will establish the claim amount based on available transactional data,
5 Claim Form information, and supporting documentation. The Receiver will provide the
6 Claim Determination to Claimants electronically or as otherwise agreed.

7 Claimants must submit Claim Determination objections to tbis@hklaw.com on or
8 before 11:59 pm (Pacific Time) 100 calendar days following publishing of the Claims
9 Process Notice. The Receiver will evaluate objections and respond with the Receiver's
10 determination within 5 calendar days after receipt of an objection.

11 **IV. Failure to Respond by Bar Date or Timely Object to Claim Determinations**
12 **will Bar Claims.**

13 Claimants failing to timely file claims or timely object to the Receiver's Claim
14 Determination of their respective claims are forever barred, estopped, and enjoined from
15 later asserting such claims against the TBIS Receivership Estate. The TBIS Receivership
16 Estate will be forever discharged from any and all indebtedness or liability arising from
17 such claims.

18 **V. Distribution.**

19 After the Receiver determines all claims and objections, the Receiver will determine
20 the proposed distribution amount based on the total value of eligible claims, types of
21 claims, and available assets, and submit a distribution proposal to the Court.

1 **VI. Miscellaneous**

2 This Order is immediately effective and enforceable upon entry. The Receiver is
3 authorized to take all actions necessary to effectuate the relief granted pursuant to this
4 Order in accordance with the Motion. The Court retains exclusive jurisdiction with respect
5 to all matters related to this Order's implementation.

6 **SO ORDERED.**

7
8
9 _____, 2020

10 DALE S. FISCHER
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 400 S. Hope Street, 8th Floor, Los Angeles, CA 90071.

On **July 28, 2020**, I served the document described as Receiver's **[PROPOSED]** **ORDER APPROVING CLAIMS PROCESS AND BAR DATE** on the interested parties in this action as follows:

[X] (BY Electronic Transfer to the CM/ECF System) In accordance with Federal Rules of Civil Procedure 5(d)(3) and Local Rule 5-4, I uploaded via electronic transfer a true and correct copy scanned into an electronic file in Adobe "pdf" format of the above-listed document(s) to the U.S. District Court Central District of California's Electronic Case Filing (CM/ECF) system on this date.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **July 28, 2020**, Los Angeles, California.

/s/Kristina S. Azlin

Kristina S. Azlin